

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, AUGUST 11, 2009, 7:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Jim Proctor
Commissioner Bill Beason
Commissioner Wayne Hyatt
Commissioner Russ Pitts
Commissioner Linda Turner

Sam A. Karr, Interim Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: Christopher Braund, Town Manager

CALL TO ORDER

Mayor Proctor called the meeting to order at 7:00 p.m.

INVOCATION

Attorney Callahan gave the invocation.

APPROVE THE AGENDA

After discussion, Commissioner Pitts made a motion to approve the agenda as amended. Adding an item on the agenda to hold a closed session in accordance with G.S. 143-318.11(a) (1) and (3) to discuss attorney client privilege regarding a pending lawsuit between Fraulein Swaringen Beio and the Town of Lake Lure. Commissioner Beason seconded the motion and the vote of approval was unanimous.

PUBLIC FORUM

Mayor Proctor invited the audience to speak on any non-agenda item and/or consent agenda topics and the following requested to speak.

1. Ken Jordan announced that Pat Smith will be overseeing the administration of the Fresh Local Art and Produce (F.L.A.P.) Market. Mr. Jordan also requested that signs be placed at both ends of the town announcing the forthcoming of the Lake Lure Classical Academy opening Fall of 2010.

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2. Wendy Field stated that she had been receiving many inquiries regarding property management including both from real estate agents and non-real estate agents. Ms. Field asked Council members to consider implementing a policy requiring property managers in Lake Lure to become a certified residential property manager. She distributed handouts furnished by the Institute of Real Estate Management. Ms. Field spoke about the problem of individuals managing property who have no qualifications.
3. Lewis Kenyon inquired about when the public hearing would take place regarding the proposed vacation rentals regulations.

STAFF REPORTS

Interim Town Manager Sam Karr read into the record the town manager's report dated August 11, 2009. (Copy of the town manager's report is attached).

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Turner reported on the activities of the Parks and Recreation Board

Commissioner Pitts reported on the activities of the Zoning/Planning Board Mr. Pitts also announced that there would be a meeting at town hall with U.S. Congressman Patrick McHenry on Tuesday, August 18th, from 8:00 a.m. until 9:30 a.m. for constituents to share their thoughts on the issues they are concerned about.

Commissioner Beason reported on the activities of the Golf Course Committee and Lake Advisory Board.

Commissioner Hyatt reported on the activities of the Board of Adjustment/Lake Structures Appeals Board and the Lake Lure ABC Board.

Mayor Proctor informed citizens that there would be letters and e-mails going out asking for funds to support the Lake Lure Classical Academy Charter School. He asked for support from individuals and businesses on the raising of funds for this school.

CONSENT AGENDA

Mayor Proctor presented the consent agenda and asked if any item should be removed before calling for action.

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Commissioner Turner moved, seconded by Commissioner Hyatt, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items were unanimously approved and adopted:

- a. minutes of the July 13, 2009 (special meeting and closed session), July 14, 2009 (regular meeting), and July 27, 2009 (special meeting); and
- b. Resolution No. 09-08-11 accepting the Wastewater - American Recovery and Reinvestment Act of 2009 (ARRA) revolving loan regarding the sewer pipe joint wrapping-sealing project; authorize the town manager to execute the loan documents for this project on behalf of the town.

RESOLUTION NO. 09-08-11

**BY THE BOARD OF COMMISSIONERS
OF THE TOWN OF LAKE LURE**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environment and Natural Resources has approved the Town of Lake Lure for an American Recovery and Reinvestment Act of 2009 loan assistance from the Clean Water State Revolving Fund in the amount of \$3,000,000 for Project Number 2W370489-04 sewer pipe joint wrapping-sealing of sewer system underwater of Lake Lure, and

WHEREAS, the Town of Lake Lure intends to construct said project in accordance with the approved plans and specifications,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF THE TOWN OF LAKE LURE:**

That the Town of Lake Lure does hereby accept the \$3,000,000 Wastewater - American Recovery and Reinvestment Act of 2009 (ARRA) revolving loan.

That the Town of Lake Lure does hereby give assurance to the North Carolina Department of Environment and Natural Resources that all items specified in the loan offer, Section II - Assurances will be adhered to.

That Chris Braund, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in

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connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Lake Lure has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this 11th day of August, 2009.

ATTEST:

Mary A. Flack
Town Clerk

Jim Proctor
Mayor

End of Consent Agenda.

UNFINISHED BUSINESS:

a. CONSIDER A REQUEST FROM MICHAEL BLANTON ON BEHALF OF THE VINTAGE TIN STREET ROD ASSOCIATION TO SUSPEND THE TOWN'S PEDDLING ORDINANCE AND WAIVE THE RENTAL FEE FOR USE OF TOWN PROPERTY TO HOLD THEIR ANNUAL CAR SHOW ON OCTOBER 3, 2009; ALL PROCEEDS WILL GO TO BENEFIT THE SHRINER'S CHILDREN'S HOSPITAL

Michael Blanton, President of the Vintage Tin Street Rod Association, answered questions regarding his request to have the town's peddling ordinance suspended and the rental fee waived for use of town property to hold their annual car show on October 3, 2009. He informed town council that all proceeds would go to benefit the Shriner's Children Hospital.

After discussion, Commissioner Pitts made a motion to approve the request from Michael Blanton on behalf of the Vintage Tin Street Rod Association to suspend the town's peddling ordinance and waive the rental fee for use of town property to hold their annual car show on October 3, 2009. Commissioner Beason seconded the motion and the vote of approval was unanimous.

CLOSED SESSION

Mayor Proctor recessed the meeting for a brief break prior to entering into closed session.

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A motion was made by Commissioner Turner to enter into the closed session in accordance with G.S. 143-318.11(a) (1) and (3) to discuss attorney client privilege regarding a pending lawsuit between Fraulein Swaringen Beio and the Town of Lake Lure. Commissioner Beason seconded the motion and the vote of approval was unanimous.


While in closed session, Council members voted to seal the minutes of the closed session meeting in order to avoid frustrating the purpose of the closed session.

With no further items of discussion in closed session, Commissioner Turner made a motion to come out of the closed session meeting and re-enter the regular session of the town council meeting at 9:40 p.m. Commissioner Hyatt seconded the motion and the vote of approval was unanimous.

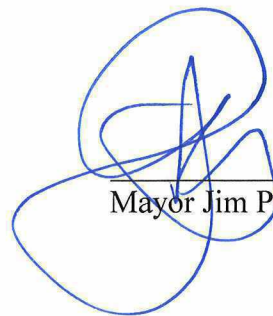
ADJOURN THE MEETING

With no further items of discussion, Commissioner Turner made a motion to adjourn the meeting 9:41 p.m. Commissioner Hyatt seconded the motion and the vote of approval was unanimous.

ATTEST:



Mary A. Flack, MMC
Town Clerk



Mayor Jim Proctor